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EXAMINER

GOFF II, JOHN L

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Continuation of 11. does NOT place the application in condition for allowance because:

It is noted applicants amendment incorporates previous dependent claim 10 into independent claim 1. In view of the amendment the following rejections remain:

Claims 1, 2, and 5-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hiroshi (JP 2000-294221 and see also the machine translation) in view of Goto (J 2000-173562 and see also the machine translation and abstract) and Fukuda et al. (U.S. Patent 6,877,216), and in the alternative, Goto in view of Hiroshi and Fukuda et al.

Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hiroshi, Goto, and Fukuda et al., and further in view of Yoshie et al. (JP61-198550 and see also the abstract).

Applicant argues, “Specifically, Goto at least at paragraphs [0008], [0009] and [0020] teaches that the advantages taught by Goto are directly caused by the use of heating members that both correspond to the shape of a lead. For example, paragraph [0009] states that “The metallic mold of this invention can heat seat a sealant layer, without putting superfluous pressure on a lead, *since a crevice corresponding to shape of a lead* taken out from between sealant layers heat sealed is formed in the press surface” (emphasis added). Similarly, paragraph [0020] states that “the crevice 6 made to *correspond to the shape of the lead* 4 is formed in the press surface... *From this*, it becomes unnecessary to form an insulating film” (emphasis added). As is understood throughout Goto, the “press surface” is a heating member. Therefore, because Goto specifically teaches that both heating members must have grooves therein in order to achieve the advantageous effects described, a person having ordinary skill in the art would *not* have

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considered a system wherein each heating member has a groove to be functionally equivalent to a system wherein *only one* heating member has a groove *while the other heating member has a planar surface.*”.

None of the paragraphs referred to in Goto or any of the remaining disclosure of Goto teach *both* press surfaces *must* have a groove. Further, the disclosure of Goto does not teach a press surface with a groove and a second press surface with a planar surface cannot be used. Rather, Goto simply discloses a mold includes a press surface having a groove to accommodate a lead. Fukuda similarly directed to the same as Goto specifically show that only one of the press surfaces is required to have the groove for accommodating the lead as Fukuda teach either one or both of the press surfaces include the groove. In summary, Fukuda is evidence that one of ordinary skill in the art would have readily understood either one or both of the press surfaces include the groove as both achieve the same result, i.e. functionally equivalent, the obvious teaching being that one of the press surfaces must include a groove to accommodate the lead, it being noted applicants have shown no unexpected results for the claimed configuration.

/John L. Goff/

Primary Examiner, Art Unit 1791